



3724

Atty. Docket No. QUE04 P-312

CERTIFICATE OF MAILING

I hereby certify that this paper, together with all enclosures identified herein, are being deposited with the United States Postal Service as first class mail, addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date indicated below.

10/03/03
Date

Sharla A. Waller
Sharla A. Waller

#15
Reg for
10/10/03
Hart

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit : 3724
Examiner : Ghassem Alie
Applicants : Helmut Gross et al.
Appln. No. : 10/031,755
Filing Date : April 26, 2002
Confirmation No. : 8339
For : DEVICE FOR DIE CUTTING A STACK
CONSISTING OF SHEET-TYPE MATERIALS

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

RECEIVED

OCT 09 2003

TECHNOLOGY CENTER R3700

Dear Sir:

REPLY UNDER 37 C.F.R. §1.111

In response to the Office Action mailed July 3, 2003, Applicants request the Examiner consider the following remarks.

REMARKS

In the Office Action mailed July 3, 2003, the drawings were objected to under 37 C.F.R. §1.83(a); a requirement for a substitute specification, excluding the claims, was made pursuant to 37 C.F.R. §1.125(a); the specification was objected to under 37 C.F.R. §1.71; and claims 16-30 were rejected under 35 U.S.C. §112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

With reference to the Examiner's request for a substitute specification under 37 C.F.R. §1.125(a), Applicants have submitted herewith a substitute specification incorporating the changes made in the Preliminary Amendment, dated January 17, 2002, and have included a

Applicant : Helmut Gross et al.
Appln. No. : 10/031,755
Page : 2

marked-up version (although not required) for the Examiners convenience. No new matter has been entered in the substitute specification.

At the outset, it appears to Applicants that the vast majority of the objections to the drawings, specification and claims can be attributed to a misperception as to the operation of the disclosed device. The main point of confusion appears to be attributable to the misperception that the guide fingers 22 of the design unit 21 are interspersed within the stack 8. Applicants submit that a careful review of the specification and drawings clearly disclose that the guide fingers 22 of the design unit 21 are located at the back of the stack 8 (see for, example, Fig. 25), opposite the die-cutter blade 18. The guide fingers 22 are received in grooves 100 in the punching ram 7, when the punching ram pushes the stack 8 into the die-cutter blade 18. Similarly, guide fingers 101 of the limiting element 88 are also located at the back of the stack 8 and are received in grooves 100 in the punching ram (see, for example, Fig. 23). A hold-down 24 (see, for example, Figs. 1 and 23) has extending therefrom a finger 102 that is also received in a groove 100 in the punching ram 7. As is disclosed (see page 8, first partial paragraph of original specification), the hold-down 24 immobilizes the punching ram 7 from above, once it has been brought into position. That is, the hold-down 24 limits the upward, not forward, movement of the ram 7.

With respect to the drawing objections, Applicants direct the Examiner to Figs. 2 and 23, which is a cross-sectional view along the line "C-C" of Fig. 2. More specifically, the relationship of the punching ram 7, the slide-in unit 21, with accompanying guide fingers 22 and a stack 8 is depicted. As is shown, the stack 8 rests on a top surface 20 of the plate 75 and the fingers 22 of the slide-in unit 21 are positioned behind the stack 8 between the stack 8 and the punching ram 7, which includes a plurality of grooves 100 for receiving the guide fingers 22 of the slide-in unit 21. Similarly, a limiting element 88 includes a plurality of guide fingers 101, which are positioned at the back of the stack 8 nearest the punching ram 7, which also includes grooves 100 for receiving the guide fingers 101 of the limiting element 88. As is disclosed in the specification, the punching ram 7 pushes the stack 8 into a die-cutter blade 18 (see, for example, Figs. 1 and 19-21) mounted to a punch platen 12.

Applicant : Helmut Gross et al.
Appln. No. : 10/031,755
Page : 3

With reference again to Fig. 23, the relationship of the slide-in unit 21 to the stop 89 is depicted in detail. Further, the adjustment of the limiting element 88 is further described in the specification with reference to the discussion of Figs. 23-26. As is specifically disclosed, the stack 8 rests against the inclined storage plate 75 and supports itself laterally against the main plate 10. As is further disclosed, the limiting element 88, as well as the slide-in unit 21, is movably and adjustably mounted relative to the storage plate 75.

With specific reference to the rejection of claims 16-30, as noted above, the fingers 101 and 22 are located at the back, opposite the die-cutter blade 18, of the stack 8. The fingers 101 and 22 are received by grooves 100 formed in the ram 7. Further, Applicants again note that Fig. 23 specifically shows the relationship between the adjustable limiting element 88, the adjustable stop 89, the movable slide-in unit 21 and the adjustable hold-down 24. Additionally, Applicants also note that Fig. 23 clearly shows the stack 8 located on the top surface 20 of the plate 75.

With reference to the Examiner's objection to the specification under 37 C.F.R. §1.71, Applicants again submit that a careful reading of the specification and drawings clearly disclose that the guide fingers 22 of the slide-in unit 21 are positioned behind the stack 8 opposite the die-cutter blade 18. The guide fingers 22 are received by grooves 100 in the punching ram 7 when the punching ram 7 shoves the stack 8 into the die-cutter blade 18, which is mounted to the punch platen 12. Applicants note that Fig. 21 specifically shows a cross-sectional view of a stack 8 resting on a top surface 20 of a plate 75, with the stack 8 engaged by the punching ram 7 (which is extended through the main plate 10), which in normal operation pushes the stack 8 into the die-cutter blade 18, which is mounted to the punch platen 12.

With respect to the rejection of claims 16-30 under 35 U.S.C. §112, first paragraph, Applicants submit that the specification and drawings clearly teach that the guide fingers 22 of the slide-in unit 21 engage a back of a stack 8, opposite the die-cutter blade 18, and are received by openings in the die-cutter blade 18 when the punching ram 7 shoves the stack 8 into the die-cutter blade 18. Thus, Applicants submit that the specification does contain a written description of the invention and of the matter and process of making and using it in

Applicant : Helmut Gross et al.
Appln. No. : 10/031,755
Page : 4

such full, clear, concise and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and sets forth the best mode contemplated by the inventor of carrying out the invention.

CONCLUSION

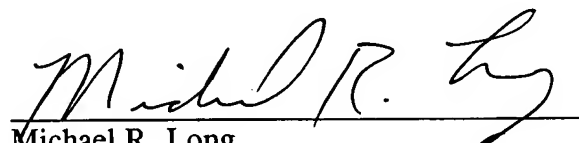
For all the foregoing reasons, Applicants respectfully submit that the application is in condition for further examination and allowance. If the Examiner has any questions or comments with respect to this reply, the Examiner is invited to contact the undersigned at (616) 949-9610.

Respectfully submitted,

HELMUT GROSS ET AL.

By: PRICE, HENEVELD, COOPER,
DEWITT & LITTON

10-03-03
Date


Michael R. Long
Registration No. 42 808
695 Kenmoor SE
P.O. Box 2567
Grand Rapids, Michigan 49501-2567
616/949-9610

MRL/saw